

### **REMARKS**

Claims 1-11, 22 and 26-28 were rejected under 35 U.S.C. §102(b) as being anticipated by Tsutsumi et al. (EP 972864). This rejection is traversed by the amendments made to the claims.

Claims 19-21, 29-35, 36-38, and 41-44 were rejected under 35 U.S.C. §103(a) as being unpatentable over Tsutsumi et al. This rejection is traversed by the amendments made to the claims.

Claims 12-18, 23-25, 39-40 and 45 were indicated as having allowable subject matter if rewritten in independent form. These claims have been written in independent form by incorporating the subject matter of claim 12 into claims 1 and 29.

#### **Amendment**

Claims 1 and 29 have been amended to incorporate the subject matter of claims 12 as well as claim 2, and 7-9 into amended claims 1 and 29.

Amended claims 1 and 29 (the only independent claims) now recite that the crosslinking agent is a polyester made by reacting a dicarboxylic acid with a mixture of a branched glycol and a straight chain glycol. Also, the reactant "polyisocyanate" was amended to recite diisocyanate, which is preferred.

Previous claims that are now included in amended claims 1 and 29 have been cancelled. Claim dependency was changed in several claims to account for the cancelled claims.

The amended claims now recite allowable subject matter and the Examiner is respectfully requested to allow the amended claims.

The reference Tsutsumi (EP 972864), as noted by the Examiner, does not teach the use of a mixture of branched and straight chain glycols in the polyester crosslinking agent. Tsutsumi first makes two prepolymers, one with terminal hydroxyl groups and one with terminal isocyanate groups. These two prepolymers are then reacted to form the TPU. Applicants process is different in that the TPU is made by a one-shot process where all the reactants are added together and react to make the TPU, thus avoiding the step of first creating two prepolymers. Both the Tsutsumi reference and Applicants add a crosslinking agent which is a isocyanate terminated prepolymer. The amended claims of Applicants use a mixture of glycols (branched and straight chain) to react with the dicarboxylic acid to form the crosslinking

prepolymer whereas Tsutsumi uses only a single glycol. The mixed glycols used by Applicants offers an advantage by disrupting the crystallinity of the polymer, thus allowing the fibers to run for a longer period of time before breakage occurs.

The amended claims are novel and unobvious over the Tsutsumi reference. An early allowance is respectfully requested.

Respectfully submitted,

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